

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**SHAMEEK HARRISON,**

**Plaintiff,**

**v.**

**9:06-CV-455  
(TJM/GJD)**

**SERGEANT DEVLIN, et al.,**

**Defendants.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**

**DECISION & ORDER**

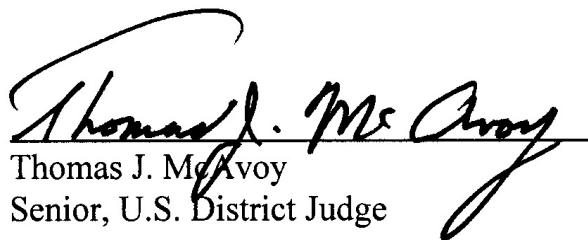
This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. Gustave J. Di Bianco, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule N.D.N.Y. 72.3(c). The Report-Recommendation dated May 14, 2009 recommended that Defendant Bracey's motion for summary judgment (dkt. # 57) be granted, and the Complaint dismissed as against this defendant. No objections to the Report-Recommendation have been filed and the time to do so has expired.

After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, the Court adopts the Report-Recommendation for the reasons stated therein.

It is therefore,

**ORDERED** that Defendant Bracey's motion for summary judgment (dkt. # 57) is **GRANTED**, and the Complaint is **DISMISSED as against Defendant Bracey.**

**DATED:** June 18, 2009



Thomas J. McAvoy  
Senior, U.S. District Judge